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HONOURABLE SRI JUSTICE B.PRAKASH RAO
AND
HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL NO:816 of 2006

DATED: 03-08-2006

Between:

S.Achuta Ramaiah

..... APPELLANT

AND

Sri Durga Malleswara Swamy Devasthanam, Vijayawada, rep.by its Executive Officer & Joint Commissioner

.....RESPONDENT

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JUDGMENT: (per BPR, J)

Heard both sides, and at their request, the main writ appeal itself is taken up for disposal.

The unsuccessful writ petitioner is the appellant herein, who seeks to assail the order dismissing the writ petition whereunder he sought a writ of mandamus assailing the impugned proceedings dated 02-06-2006 wherein the respondent-authorities sought to

allocate duties to him.

The main grievance of the appellant is that having regard to the nature of post held by him and when compared to the earlier duties which have been assigned, the entrustment of the duties vide proceedings dated 02-06-2006 by the respondent-authorities are only unbecoming and the petitioner could not have been given to such acts.

The learned Single Judge, after contest, did not find favour with the appellant and dismissed the writ petition. Hence, this appeal.

Having heard the learned counsel on both sides and on perusal of the material placed on record, we are of the view that so far as the allotment of duties to the appellant is concerned it is the executive prerogative. Therefore, no complaint as such can be made against the management as long as he is in service and it would not amount to violation of any service conditions or it would not amount to any disciplinary action affecting his service avenues.

Hence, we do not find any reason to interfere with the judgment of the learned Single Judge and the writ appeal is accordingly dismissed. No costs.

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B.PRAKASH RAO, J

RAMESH RANGANATHAN, J

03rd August, 2006

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